UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/841,186	04/25/2001	Michael G. Foulger	2018.0040001	3649

			EXAMINER
26111	7590	05/02/2005	NAJJAR, SALEH

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WASHINGTON, DC 20005

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 05/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 January 2005*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7-13 and 15-19* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,7-13 and 15-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

1.   This is responsive to the amendment filed on January 21, 2005. Claims 1, 13, 17-

19 were amended. Claims 6, and 14 were canceled. Claims 1-5, 7-13, and 15-19 are

pending. Claims 1-5, 7-13, and 15-19 represent a system and method for wireless

trusted point of access to a computer network.

2.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

Claims 7, 10, 15, 17 are rejected under 35 U.S.C. 112, second paragraph, as

being indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention. The claims above depend on a canceled

claim. Appropriate correction is requested.

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of
the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of
the various claims was commonly owned at the time any inventions covered therein
were made absent any evidence to the contrary. Applicant is advised of the obligation
under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was
not commonly owned at the time a later invention was made in order for the examiner to
consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)
prior art under 35 U.S.C. 103(a).

4.   Claims 1-2, 5-6, and 10 are rejected under 35 U.S.C. 103(a) as being
unpatentable over Funk et al., U.S. Patent No. 5,937,162 in view of Melchione et al.,
U.S. Patent No. 5,966,695 (referred to hereafter as Mel).

Funk teaches the invention substantially as claimed including a method and
apparatus for high volume e-mail delivery (see abstract).

As to claim 1, Funk teaches a method for conducting an email campaign,
comprising the steps of:

(1) generating an email target database (see figs. 1-2; col. 5, lines 60-67; col. 6,
line 28; Funk discloses generating a customer database 200);

(2) generating an email campaign template related to at least one email
target in the generated email target database (see fig. 3; col. 6, line 20-67, Funk
discloses filling a standard e-mail form 300 having predefined fields for data entry);

wherein step (2) comprises:

(a) generating a message template (see col. 6, lines 55-65, Funk illustrates a typical e-
mail form 300);

(b) generating a configuration file to contain data related to each of the at least one e-
mail target, wherein the data is insertable in the generated message template (see col.
8, lines 45-65; col. 9, lines 30-60; col. 10, lines 1-60, Funk discloses a configuration file
to or temporary file of which data is insertable ito the email message 300);

(3) sending to each of the at least one email target a corresponding
custom email, wherein the custom email is formed from the email campaign
form (see col. 7, lines 1-60; col. 8, lines 1-50, Funk discloses sending the e-mail form
300 to each target on the database list); and

(4) tracking the custom email sent to each of the at least one email
target (see col. 9, lines 40-50; col. 11, lines 1-5, Funk discloses a tracking module for
tracking emails).

Funk does not explicitly teach the limitation of receiving the an email target
database. Funk does teach that a data base is generated and is updated upon the
registration of new clients (see coll. 6, lines 1-60).

However, Mel teaches a sales and marketing support system using a graphical query prospect database (see abstract). Mel discloses receiving a list of target email recipients (database) through a customized query (see col. 10-16; col. 29-36).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Funk by specifying the receipt of a database that includes a list of email recipients. One would be motivated to do so to allow for remote access of sales leads that include target e-mail recipients.

As to claim 2, Funk teaches the method of claim 1, wherein step (1) comprises the step of:

(a) generating the email target database (see col. 6, lines 1-60).

As to claim 3, Funk teaches method of claim 2.

Funk fails to teach the claimed limitation of generating the email database by

(i) collecting at least one raw document; (ii) parsing said collected at least one document; (iii) categorizing said parsed at least one document into at least one category; (iv) inserting said at least one document into a database; and removing documents from the database corresponding to duplicate email addresses.

However, Mel teaches a sales and marketing support system using a graphical query prospect database (see abstract). Mel discloses generating a database by (i) collecting at least one raw document; (ii) parsing said collected at least one document; (iii) categorizing said parsed at least one document into at least one category; (iv) inserting said at least one document into a database; and removing documents from the database corresponding to duplicate email addresses (see col. 10-16; col. 29-36).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Funk by implementing the database generation method of Mel to improve customer targeting in volume email delivery.

As to claim 4, Funk teaches the method of claim 1.

Funk fails to teach the limitation wherein the step of receiving a target database comprises the step of:

(a) requesting an email target database according to a structured query language statement.

However, Mel teaches a sales and marketing support system using a graphical query prospect database (see abstract). Mel discloses requesting an email target database according to a structured query language statement (see col. 5-10).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Funk by implementing the database generation method of Mel to improve customer targeting in volume email delivery.

As to claim 5, Funk teaches the method of claim 1.

Funk fails to teach the limitation wherein step (1) comprises the step of:

(a) receiving an email target database from a data base vendor.

However, Mel teaches a sales and marketing support system using a graphical query prospect database (see abstract). Mel discloses receiving a list of target email recipients (database) through a customized query (see col. 10-16; col. 29-36).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Funk by specifying the receipt of a database that includes a list of email recipients. One would be motivated to do so to allow for remote access of sales leads that include target e-mail recipients.

As to claim 10, Funk teaches the method of claim 6, wherein step (3) comprises the step of:

(a) forming the custom email for each of the at least one email target from the generated text message form and the generated configuration file (see col. 6-8).

5.   Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Funk et al., U.S. Patent No. 5,937,162 in view of Melchione et al., U.S. Patent No. 5,966,695 (referred to hereafter as Mel) and further in view of Linden et al., U.S. Patent No. 6,360,254.

Funk teaches the invention substantially as claimed including a method and apparatus for high volume e-mail delivery (see abstract).

As to claim 7, Funk teaches the method of claim 6.

The combination of Funk and Mel fail to teach the limitation of generating a custom uniform resource locator address for each of the at least one email target; and (ii) inserting the generated custom uniform resource locator address for each of the at least one email target into the configuration file.

However, Linden teaches a system and method for providing secure URL-based access to private resources (see abstract). Linden teaches generating a custom uniform resource locator address for each of the at least one email target; and (ii) inserting the generated custom uniform resource locator address for each of the at least one email target into the configuration file (see fig. 1; col. 5-10, Linden discloses inserting unique URL in the private data record of each customer).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Funk and Mel in view o f Linden so that a unique URL is inserted into each configuration file of the customer to provide for unique identification of customer e-mail responses

As to claims 8-9, Funk teaches the method of claim 7.

The combination of Funk and Mel fail to teach the limitation wherein step (i) comprises the steps of:

(A) generating a hash from a campaign ID, a message form version ID, a user reference ID, and a private key, for each of the at least one email target; and (B) appending a first portion of the generated hash for each of the at least one email target to a host web address to form the custom uniform resource locator address for each of the at least one email target wherein the host web address is equal to hostname/module?token where hostname is replaced with an email campaignhost internet address, module is replaced with an identifier for software located at the email campaign host directed to processing the custom uniform resource locator address for each email target after it is selected, and token is replaced with any alphanumeric identifier for unique information related to the customized uniform resource locator address for each of the at least one email target.

However, Linden teaches a system and method for providing secure URL-based access to private resources (see abstract). Linden teaches generating a hash from a

campaign ID, a message form version ID, a user reference ID, and a private key, for each of the at least one email target; and (B) appending a first portion of the generated hash for each of the at least one email target to a host web address to form the custom uniform resource locator address for each of the at least one email target (see fig. 1; col. 5-10, Linden discloses inserting unique URL in the private data record of each customer).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Funk and Mel in view o f Linden so that a unique URL is inserted into each configuration file of the customer to provide for unique identification of customer e-mail responses.

6.   Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Funk et al., U.S. Patent No. 5,937,162 in view of Melchione et al., U.S. Patent No. 5,966,695 (referred to hereafter as Mel) and further in view of Henrick et al., U.S. Patent No. 6,377,936.

Funk teaches the invention substantially as claimed including a method and apparatus for high volume e-mail delivery (see abstract).

As to claim 11, Funk teaches the method of claim 1.

The combination of Funk and Mel fail to teach the claimed limitation wherein step (4) comprises the steps of:

(a) receiving at least one response from the at least one email target; and (b) creating a campaign tracking list from said received at least one response.

However, Henrick teaches a method for performing targeted marketing over a large computer network through e-mail (see abstract). Henrick teaches(a) receiving at least one response from the at least one email target; and (b) creating a campaign tracking list from said received at least one response (see col. 3, lines 45-50).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Funk and Mel in view of Henrick so that the responses to e-mails are listed in a response list. One would be motivated to do so to implement better tracking functionality with volume e-mail.

As to claim 12, Funk teaches the method of claim 11, wherein step (b) comprises the steps of:

(ii) determining a number of the custom email sent to the at least one email target that were undeliverable (see col. 5-9).

The combination of Funk and Mel fail to teach the claimed limitation of determining a number of successful visits from the at least one email target and (iii) determining a number of the at least one email target that requested deletion.

However, Henrick teaches a method for performing targeted marketing over a large computer network through e-mail (see abstract). Henrick teaches determining a number of successful visits from the at least one email target and (iii) determining a number of the at least one email target that requested deletion (see col. 3-5).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Funk in view of Henrick so that successful visits and customers who want to be off the email list is tracked. One would be motivated to do so to allow for tailoring target e-mails for predetermined e-mail recipients.

7.   Claims 13, and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Funk et al., U.S. Patent No. 5,937,162 in view of Henrick et al., U.S. Patent No. 6,377,936.

Funk teaches the invention substantially as claimed including a method and apparatus for high volume e-mail delivery (see abstract).

As to claim 13, Funk teaches a system for generating and tracking an email campaign, comprising:

an email campaign generator that generates an email campaign template from an email target database, wherein said email target database comprises a pluralitv of email targets(see col. 6, lines 55-65, Funk illustrates a typical e-mail form 300);

an email campaign engine that generates a custom email corresponding to each of said pluralitv of email targets, wherein said custom email is formed from said email campaign template, wherein said email campaign engine sends said custom email to each of said pluralitv of email targets (see col. 8, lines 45-65; col. 9, lines 30-

60; col. 10, lines 1-60, Funk discloses a configuration file to or temporary file of which data is insertable ito the email message 300); and

wherein said email campaign template comprises a text message; and a configuration file that includes data from said email target database corresponding to each of said plurality of email targets (see col. 8, lines 45-65; col. 9, lines 30-60; col. 10, lines 1-60, Funk discloses a configuration file to or temporary file of which data is insertable into the email message 300).

Fink fails to teach the limitation of a campaign tracker that receives a response corresponding to said sent custom email, and wherein said campaign tracker creates a campaign tracking list that includes said received response.

However, Henrick teaches a method for performing targeted marketing over a large computer network through e-mail (see abstract). Henrick teaches a campaign tracker that receives a response corresponding to said sent custom email, and wherein said campaign tracker creates a campaign tracking list that includes said received response (see col. 3-5).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Funk in view of Henrick so that email campaign is tracked. One would be motivated to do so to allow for receiving feedback on the success of an email campaign.

As to claim 15, Funk teaches the system of claim 13, wherein said email campaign engine makes a copy of said text message to generate said custom email (see col. 5-6).

As to claim 16, Funk teaches the system of claim 15, wherein said email campaign engine replaces at least one custom tag in said text message copy with a corresponding portion of said configuration file data (see col. 6, lines 40-60).

8.   Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Funk et al., U.S. Patent No. 5,937,162 in view of Henrick et al., U.S. Patent No. 6,377,936 further in view of Linden et al., U.S. Patent No. 6,360,254.

Funk teaches the invention substantially as claimed including a method and apparatus for high volume e-mail delivery (see abstract).

As to claim 17, Funk teaches the system of claim 13.

The combination of Funk and Henrick fail to teach the limitation of generating a custom uniform resource locator address for each of the at least one email target; and (ii) inserting the generated custom uniform resource locator address for each of the at least one email target into the configuration file.

However, Linden teaches a system and method for providing secure URL-based access to private resources (see abstract). Linden teaches generating a custom uniform resource locator address for each of the at least one email target; and (ii) inserting the generated custom uniform resource locator address for each of the at least one email target into the configuration file (see fig. 1; col. 5-10, Linden discloses inserting unique URL in the private data record of each customer).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Funk and Henrick in view o f Linden so that a unique URL is inserted into each configuration file of the customer to provide for unique identification of customer e-mail responses

As to claims 18-19 Funk teaches the system of claim 17.

The combination of Funk and Henrick fail to teach the limitation wherein step (i) comprises the steps of:

(A) generating a hash from a campaign ID, a message form version ID, a user reference ID, and a private key, for each of the at least one email target; and (B) appending a first portion of the generated hash for each of the at least one email target to a host web address to form the custom uniform resource locator address for each of the at least one email target wherein the host web address is equal to hostname/module?token where hostname is replaced with an email campaignhost internet address, module is replaced with an identifier for software located at the email campaign host directed to processing the custom uniform resource locator address for each email target after it is selected, and token is replaced with any alphanumeric

identifier for unique information related to the customized uniform resource locator address for each of the at least one email target.

However, Linden teaches a system and method for providing secure URL-based access to private resources (see abstract). Linden teaches generating a hash from a campaign ID, a message form version ID, a user reference ID, and a private key, for each of the at least one email target; and (B) appending a first portion of the generated hash for each of the at least one email target to a host web address to form the custom uniform resource locator address for each of the at least one email target (see fig. 1; col. 5-10, Linden discloses inserting unique URL in the private data record of each customer).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Funk and Henrick in view o f Linden so that a unique URL is inserted into each configuration file of the customer to provide for unique identification of customer e-mail responses.
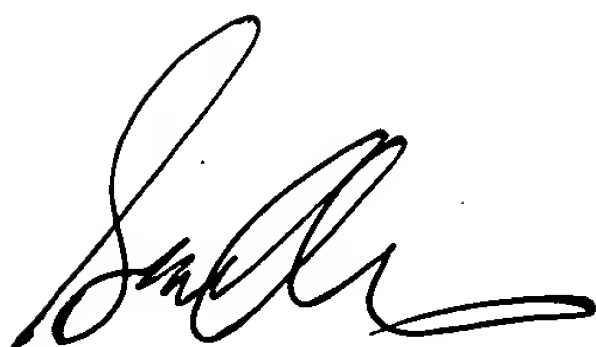
9.   Applicant's arguments with respect to claims 1-40 have been considered but are moot in view of the new ground(s) of rejection.

10.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saleh Najjar whose telephone number is (571)272-4006.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703)308-7562.

Information regarding the status of an application may be obtained from the

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Saleh Najjar

Primary Examiner / Art Unit 2157